Supreme Court, U.S.
FILED
DEC 29 2009
OFFICE OF THE CLERK

No. : 09-616

In the

Supreme Court of the United States

WAYNE RITCHIE,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent,

-and-

ROBERT V. LASHBROOK, in his individual and in his official capacities; IKE FELDMAN, in his individual and official capacities,

Defendants.

PETITIONER'S SECOND SUPPLEMENTAL BRIEF

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December 29, 2009

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PETITIONER'S SECOND SUPPLEMENTAL BRIEF

As a matter of our country's national security, the President, the Congress and the American people must rely upon the integrity of our intelligence agencies to keep them fully informed about the truth in our failures to combat terrorism against Americans. The core of those intelligence services are the Federal Bureau of Investigation ("FBI") and the Central Intelligence Agency ("CIA").

On Christmas day, eight years after 9/11/01, we witnessed another significant failure of our intelligence agencies. Without detection, a terrorist--due to his own inability to properly explode a deadly plastic chemical, PETN, -- came very close to inflicting a major tragedy on our country by killing 289 people on a Northwest airplane. Had there been success, the financial havoc to our country's airlines would have been staggering. The avoidance of the tragedy was sheer luck. Unfortunately, it was not due to the skill of our intelligence services.

It is most important that the persons that are in charge of our intelligence services possess the highest integrity for disclosing all the facts to the President and the Congress to allow them to carry our their obligations. We know that Robert Mueller, the Director of the FBI, from the facts in this case does not possess that necessary integrity. Mr. Mueller knowingly filed false answers in this case and set in motion a massive fraud on the court. Robert Mueller must be exposed for what he has done here. He cannot be trusted to carry out his obligations to the President, the Congress and the

public with integrity. It will then be up to the executive branch of the government as to whether he is forced to resign. But it is the obligation of this Court to make known its determination about Mr. Mueller. So far, our judiciary -- the lower courts here -- have failed to properly carry out that function.

The same argument applies to the office of General Counsel of the CIA. The General Counsel of the CIA -- as demonstrated here -- lacks the integrity to accurately report the truth to the President and the Congress. Those lawyers in the CIA's office of General Counsel who have participated in the fraud on the court in this case likewise must be exposed.

In an editorial in today's Wall Street Journal, it quoted a statement from Al Qaeda in the Arabian peninsula as "mocking the U.S.'s ability to stop them. Umar Farouk Abdulmutallab, they said, 'dealt a huge blow to the myth of American and global intelligence services and showed how fragile its structure is.'" The battle against terrorism require our most skilled and honest experts.

The strength of our democracy is in our adherence to laws. When Robert Mueller, the Justice Department and the CIA are placed above the law -- as was done here by the lower courts -- our democracy is severely weakened.

It is imperative for this Court to exercise its supervisory powers to make certain our country's national security is enhanced by exposing those persons responsible for the deliberate misconduct here. That is a sound reason for granting the Petition for a Writ of Certiorari here.

The attempted terrorist act on Christmas day constitutes "other intervening matter not available

at the time of the party's last filing" which entitles Petitioner to file another supplemental brief. Rule 15.8.

CONCLUSION

The Petition for a Writ of Certiorari should be granted.

Dated: New York, New York
December 29, 2009

Respectfully submitted

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